

(1)

An Act for Granting to their Majesties the Rate of
One Penny per Pound upon all the Real and Per-
sonal Estates within this Province of *New-York*,
&c. To be allowed unto his Excellency the Go-
vernour, for the Care of the Province, *November*
the 12th, 1692.

THe Representatives convened in General Assembly, in all humble and
dutiful Acknowledgement of their Majesties most Gracious Favour
and Regard to the Subjects of this Province, by Commissionating
and Appointing over them, a Person to be their Governour, who is endued
with most excellent Qualities, and hath given most signal Demonstration of
his constant Loyalty and Fidelity unto their Majesties, by his prudent care
and conduct, since his arrival into this their Majesties Province, and who by
his unwearied vigilance hath visited the Frontiers of the same, and hath put
them into such posture as that all the Subjects are in safety, tho' environ'd
with a powerfull Enemy; In the deepest Sence thereof become humble Sup-
plicants unto their most Excellent Majesties, and pray that they would be gra-
ciously pleased to accept, as a token of their most Loyal and Sincere Affection
unto their Majesties, and their Government established here, One Penny for
every Pound value of all the Real and Personal Estates of all and every the
Free-holders and Inhabitants within this their Majesties Province and Depen-
dancies; and do likewise humbly pray, that your most excellent Majesties
would be pleased to give & allow the same unto *Benjamin Fletcher* Esq; Capt.
General and Governour in chief in and over their Majesties Province of *New-
York*, and Territories thereon depending, in *America*, and pray that it be
so enacted,

Be it therefore enacted by the Governour and Council, and Representatives
convened in General Assembly, and by the Authority of the same, That
there be Assessed, Levyed and Collected One Penny for every Pounds value
of all the Real and Personal Estates of all and every the Free-holders and
Inhabitants within this Province and Dependencies, to be assessed, levyed,
collected and paid in manner and form following, that is to say, The one half
or moyety of the aforesaid Assessments of One Penny for every Pounds value
of all the Real and Personal Estates, as aforesaid, to be assessed, levyed, col-
lected and paid unto their Majesties Receiver General at *New-York*, at or be-
fore the first day of *September* next, which shall be in the Year of our Lord
One Thousand Six Hundred Ninety and Three, and the other half or moyety
of the said Assessment to be paid in like manner at or before the first day of
September then next following, which shall be in the Year of our Lord One
Thousand Six Hundred Ninety and Four.

And for the more due and orderly Collection of the Assessment aforesaid,

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Be

(2)

Be it further enacted by the Authority aforesaid, That the Mayor and Aldermen within the City of *New-York* for the time being, and the Mayor and Aldermen within the City of *Albany* for the time being, and the Justices of the Peace for the time being, for the several and respective Counties within this Province, for the several Counties respectively, for the which they shall be Justices of the Peace, do within six Months after Publication hereof assemble and meet together in the Court Houses, for the several respective Cities and Counties, or such other place or places as they shall agree among themselves, and shall there order, That the Assessors and Collectors for the several and respective Cities, Towns, Mannours, and Liberties, within their several Jurisdictions, for the assessing, collecting and receiving of the Publick Rates, for the defraying of the Publick and Necessary Charge of each respective City and County aforesaid, be the Assessors and Collectors for the assessing, collecting and receiving the Rate of One Penny per Pound, as aforesaid, as to the said Mayors and Aldermen and Justices of the Peace shall seem meet and reasonable.

And forasmuch as there are several Mannors and Jurisdictions within the respective Counties aforesaid, who neglect, and do not elect annually, or once every year Assessors and Collectors, whereby the intent of this Act may be frustrated, Be it therefore Enacted by the Authority aforesaid, That if the respective Mannors and Jurisdictions within the several Counties aforesaid, shall refuse or neglect to elect Assessors and Collectors, for the assessing their respective Mannours and Jurisdictions, and for the Collecting the same, according to the intent and direction of this Act; Then and in such case the Justices of the Peace of the County where such Mannours or Jurisdictions are, Are hereby impowered and authorized to nominate and appoint Assessors and Collectors, for such Mannors and Jurisdictions as shall neglect and refuse as aforesaid; which Assessors and Collectors shall, to all intents and purposes, observe the directions of this Act, any thing contained herein to the contrary hereof in any wise notwithstanding.

And be it further enacted by the Authority aforesaid, That the said Mayors, Aldermen and Justices of the Peace, for the respective Cities and Counties, Mannors and Jurisdictions, have and shall have Power and Authority by Virtue of this Act, each of them by himself, to administer an Oath to the said Assessors, *Well, Truly, Equally and Impartially, in due Proportion, as it shall appear to them, according to their best Understanding, to assess and rate the Inhabitants, Residents and Free-holders of the respective places, for which they shall be chosen Assessors.*

And be it further Enacted by the Authority aforesaid, That if any Person or Persons, who shall be chosen Assessors and Collectors, shall deny, neglect, or unequally or partially assess or refuse to make such Assessment, as by this Act is required, or shall deny, neglect or refuse to collect any Sum or Sums of Money, in form afore-mentioned assent, that then and in such case, it shall and may be lawful for any two Justices of the Peace of the Cities and Counties

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§ 3

Counties where such Offenders shall happen to dwell or reside, & who by virtue of this Act, are required and impowered to do the same by Warrant under their Hands and Seals, to commit such Assessor or Assessors, Collector or Collectors so denying, neglecting or unequally and partially assessing, or refusing to collect, as aforesaid, to the common Goal, there to remain without Bayl or Mainprize till he or they make Fine and Ransom to their Majesties, as aforesaid.

And be it further enacted by the Authority aforesaid, That if any Person or Persons, of what degree or Quality soever he or they be, within this Province, who shall be assessed or rated any sum or sums of Money by virtue of this Act to be raised and levied, shall deny, refuse or delay to pay, and ratify the same, that then it shall and may be lawful for any such Collector, by Virtue of a Warrant under the Hand and Seal of any Justice of the Peace for the City or County where such Offender shall dwell or reside, who by Virtue of this Act are Required and Authorized to grant and issue forth such Warrant, to levy the same by Distress and Sale of such Person or Persons Goods and Chattles, returning the Over-plus, if any be, to the Owners, the Sum assessed, and Charges of Distress and Sale being first deducted.

And also, be it further Enacted by the Authority aforesaid, That if any Mayor, Alderman or Justice of the Peace within this Province, who are hereby Required, Impowered and Authorized to take effectual care that this Act, and every Article and Clause therein be duely executed, according to the true intent and meaning thereof, shall deny, neglect, refuse or delay to do, perform, fulfill and execute all and every or any the Duties, Powers and Authorities, by this Act required and impowered, by him or them to be done, performed, fulfilled or executed, and shall thereof be convicted before his Excellency, the Governour and Captain General, and Council, or before any of their Majesties Courts of Record within this Province, he or they shall suffer such pain, by Fine and Imprisonment, as by the direction of the said Governor and Captain General, and Council, and the Justices of the said Courts, shall be adjudged.

And be it further enacted by the Authority aforesaid, That if any Action, Bill, Plaint or Information shall be brought, moved or presented at any time hereafter against any Person or Persons, for any Matter, Clause or Thing, done or acted in pursuance or execution of this Act, such Person or Persons so Sued or prosecuted in any Court whatsoever, shall and may plead the general Issue, *Not Guilty*, and give this Act, and the special Matter in Evidence; and if the Plaintiff or Prosecutor shall be Non-suited, or forbear further Prosecution, or suffer Discontinuance or Verdict to pass against him, the Defendant and Defendants shall recover Tribble Costs, for which they shall have the like Remedy, as in case where Costs by the Law are given to Defendants.

Provided

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Provided alwayes, That no Mayor, Alderman or Justice of the Peace shall be troubled, sued or molested for any Omission, Offence or Neglect by Virtue of this Act, but within the space of one Year after such Omission, Offence or Neglect, and not any time hereafter, any thing contained herein to the contrary thereof in any wise notwithstanding.

Always Provided, and be it further Enacted by the Authority aforesaid, That the severall Collectors of each respective City and County, as aforesaid, shall have liberty to pay the severall respective Sums assessed, as aforesaid, at the Time and Days aforesaid in Currant Money at *New-York*, or for want thereof, in good, sufficient and merchantable Provisions at the currant Market Price.

F I N I S.